

REMARKS

Two independent claims (1 and 22) are pending. They stand rejected under 35 USC 102(b) as being anticipated by Fulthorp et al.

The examiner is urged to reconsider and withdraw the rejections, particularly in light of the clarifying amendments made herein to these two claims.

Fulthorpe has a class of base stations (2 in FIG. 1) and a class of remote units (6 in FIG. 1). Base stations are not the peers of remote units. Only the base stations are capable of receiving CSMA-based requests from remote units for establishment of TDMA-based contention-free transmission. Remote units are incapable of receiving such requests from base stations or from other remote units, and base stations do not make such requests of other base stations or remote units.

As amended, claims 1 and 22 require that any of a plurality of peer devices be capable of exchanging messages with any other of the plurality of peer devices using a CSMA contention-oriented service to establish a series of contention-free intervals for use by the two devices. The exact claim language (which is common to both claim 1 and 22) is:

having a first device, which can be any of the plurality of peer devices, exchange messages with a second device, which can be any other of the plurality of peer devices, over the medium using a CSMA contention-oriented service to establish a session of contention-free intervals within the CSMA contention-oriented service for use by the first device and the second device for contention-free traffic between the devices,

Fulthorpe is fundamentally different from this claim limitation. Yes, in Fulthorpe, remote units, of which there are a plurality, can use CSMA to request of base stations, of which there are also a plurality, the establishment of contention-free intervals. But the Fulthorpe remote units and base stations are not peer devices. Only the remote units (slaves) make such requests, and only the base stations (masters) act on them. The claim limitation requires that any of a plurality of peer devices communicate with any other of the peer devices to setup the contention-free intervals. Applied to Fulthorpe that would

mean that communication to setup the contention free intervals would need to be from remote unit to remote unit (or base station to base station), and such is not possible in Fulthorpe. The only way that a contention-free interval can be established is by a remote unit requesting one of a base station. Remote units cannot request them of other remote units, base stations cannot request them of remote units, nor can base stations request them of other base stations.

Accordingly, with this very minor amendment to claims 1 and 22 the claims are clearly now in condition for allowance. The examiner's own remarks (paragraph 8 of the office action) suggest as much.

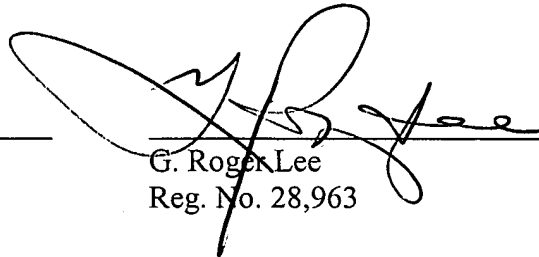
Since no new issues are raised by this amendment, and a change suggested by the examiner has been made, it is respectfully suggested that it would be appropriate for the examiner to enter this amendment and allow the claims even though the application is under final rejection.

Attached is a marked-up version of the changes being made by the current amendment.

Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 2/12/03



G. Roger Lee
Reg. No. 28,963

Fish & Richardson P.C.
225 Franklin Street
Boston, Massachusetts 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

Version with markings to show changes made

In the claims:

Claims 1 and 22 have been amended as follows:

1. (Twice Amended) A method of operating in a CSMA network in which a plurality of peer devices communicate over a medium, comprising:

having a first device, which can be any of the plurality of peer devices, exchange messages with a second device, which can be any other of the plurality of peer devices, over the medium using a CSMA contention-oriented service to establish a session of contention-free intervals within the CSMA contention-oriented service for use by the first device and the second device for contention-free traffic between the devices, and

having the first device determine when transmissions can occur on the medium during the contention-free intervals based on the exchanged messages.

22. (Twice Amended) A computer program residing on a computer-readable medium for operating in a CSMA network in which a plurality of peer devices communicate over a medium, the computer program comprising instructions for:

having a first device, which can be any of the plurality of peer devices, exchange messages with a second device, which can be any other of the plurality of peer devices, over the medium using a CSMA contention-oriented service to establish a session of contention-free intervals within the CSMA contention-oriented service for use by the first device and the second device for contention-free traffic between the devices, and

having the first device determine when transmissions can occur on the medium during the contention-free intervals based on the exchanged messages.